



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard J. Fitzpatrick, Keith K. Shackett and Jeffrey D. Kline

Application No.: 10/051,765 Group: 1615

Filed: January 17, 2002 Examiner: Fubara, Blessing

Confirmation No.: 5555

For: Ionene Polymers and Their Use as Antimicrobial Agents

TECH CENTER 1600/2900

APR 15 2003

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CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>4/9/03</u>	<u>[Signature]</u>
Date	Signature
<u>Judith Simer</u>	
Typed or printed name of person signing certificate	

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

Transmitted herewith is a Reply to Restriction Requirement and Preliminary Amendment for filing in the above-identified application.

[] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)	(COL. 2)	(COL. 3)	(COL. 4)	(COL. 5)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	74	MINUS	* 74	0
INDEP	25	MINUS	** 25	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

* not fewer than 20
** not fewer than 3

SMALL ENTITY	
RATE	ADDIT. FEE
X \$9	\$
X \$42	\$
+ \$140	\$

OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE
X \$18	\$
X \$84	\$
+ \$280	\$

OR

TOTAL = \$ 0

TOTAL = \$ 0

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

A check is enclosed in payment of the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Jesse A. Becker
Jesse A. Becker
Registration No.: 52,883
Telephone (978) 341-0036
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 4-9-03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard Fitzpatrick, Keith K. Shackett and Jeffrey D. Klinger

9/B+
Election

Application No.: 10/051,765 Group Art Unit: 1615
Filed: January 17, 2002 Examiner: Fubara, Blessing M.
Confirmation No.: 5555
For: IONENE POLYMERS AND THEIR USE AS ANTIMICROBIAL AGENTS

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on <u>4/9/03</u>	<u>J. Simen</u>
Date	Signature
<u>Judith Simen</u>	
Typed or printed name of person signing certificate	

REPLY TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

Responsive to the Restriction Requirement dated March 10, 2003, the claims of Group VII (Claims 36-38, 42-44, 48-50, 67, 69 and 71) drawn to a polymer or copolymer comprising pyridinium repeat units and a method for using said polymer or copolymer are elected for prosecution. Applicant reserves the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

Responsive to the requirement for an election of species for searching purposes, Applicant hereby elects a homopolymer comprising repeat units represented by Structural Formula (VI) as the species. Structural Formula (VI) is as follows: